

***UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO***

Eastern Division

ELMER VARNER,

Plaintiff,

JUDGMENT IN A CIVIL CASE

vs.

MICHELLE VIETS, et al.,

Defendants.

CASE NO. C2-08-0398

JUDGE EDMUND A. SARGUS, JR.

MAGISTRATE JUDGE TERENCE P. KEMP

____ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** A decision has been rendered by the Court without a hearing or trial.

Pursuant to the Order filed March 11, 2009, JUDGMENT is hereby entered DISMISSING this case for failure to prosecute.

Date: March 11, 2009

JAMES BONINI, CLERK

/S/ Andy F. Quisumbing
(By) Andy F. Quisumbing
Courtroom Deputy Clerk